

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

NICHOLLE BARCELO,	§	
	§	
	§	
Plaintiff,	§	
v.	§	CIVIL ACTION NO. 4:20-cv-00017
	§	
TEVA PHARMACEUTICALS U.S.A.,	§	
INC., TEVA WOMEN’S HEALTH, INC.,	§	
TEVA BRANDED PHARMACEUTICAL	§	
PRODUCTS R&D, INC., THE COOPER	§	
COMPANIES INC., and	§	
COOPERSURGICAL INC.	§	
	§	
Defendants.	§	

**MOTION FOR JUDGMENT ON THE PLEADINGS BY
DEFENDANTS THE COOPER COMPANIES, INC., AND COOPERSURGICAL, INC.**

Defendants The Cooper Companies, Inc., and CooperSurgical, Inc., move pursuant to LR7, Rule 12(c) of the Federal Rules of Civil Procedure, and this Court’s Order dated February 6, 2020 requiring this motion [Doc. No. 57] for an Order dismissing plaintiff’s claims for failure to state a claim. Plaintiff does not, and cannot allege that either The Cooper Companies, Inc. or CooperSurgical, Inc., manufactured or sold the ParaGard Intrauterine Copper Contraceptive placed in her, a necessary predicate under applicable law for liability. This motion is supported by the accompanying memorandum of law.

Respectfully submitted,

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ATTORNEYS FOR DEFENDANTS

TEVA WOMEN'S HEALTH, INC.,

THE COOPER COMPANIES, INC., AND

COOPERSURGICAL, INC.

CERTIFICATE OF SERVICE

I hereby certify that February 21, 2020, a true and correct copy of the above and foregoing was e-filed with the Clerk of the Court and served upon all counsel of record by using the CM/ECF system.

/s/ Laura E. De Santos